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IO/TRC: CJGRIP/AJW
9/25/72 EXT 27930
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66605

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PRIORITY

MONTREAL

FOR USREP ICAO

SUBJECT: PROPOSED ICAO ENFORCEMENT CONVENTION

PORTION OF SECRETARY ROGER'S STATEMENT BEFORE UNGA
SETTING OUT STEPS NOW REQUIRED TO COUNTER INTERNATIONAL
TERRORISM FOLLOWS:

"TWO YEARS AGO, BEFORE THE PROBLEM HAD REACHED ITS PRESENT
DIMENSIONS, THE GENERAL ASSEMBLY TOOK THE FIRST STEP --
THE STEP THAT MUST GUIDE US NOW. IN THE DECLARATION ON
FRIENDLY RELATIONS AMONG STATES, WHICH SO STRONGLY RE-
AFFIRMED THE RIGHT OF SELF-DETERMINATION, THE GENERAL
ASSEMBLY ALSO UNANIMOUSLY DECLARED THAT EACH NATION HAS
A DUTY TO REFRAIN FROM ASSISTING OR IN ANY WAY PAR-
TICIPATING IN "TERRORIST ACTS IN ANOTHER STATE OR
ACQUIESCING IN ORGANIZED ACTIVITIES WITHIN ITS TERRI-
TORY DIRECTED TOWARDS THE COMMISSION OF SUCH ACTS.

THE TIME HAS COME TO MAKE THAT OBLIGATION, WHICH THIS
GENERAL ASSEMBLY SOLEMNLY UNDERTOOK, MORE SPECIFIC
AND MEANINGFUL.

IN THE PAST TWO YEARS, THE INTERNATIONAL COMMUNITY HAS
TAKEN CERTAIN STEPS IN THE FIELD OF HIJACKING. CONVEN-
TIONS HAVE BEEN CONCLUDED PRESCRIBING SEVERE PENALTIES
FOR THE HIJACKING AND SABOTAGE OF AIRCRAFT AND REQUIRING

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PA/HO, Department of State

E.O. 12958, as amended

June 22, 2004

GRIP
GRIPBLACHLY
GRAVATT

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TELEGRAM

on Sheet,

FORM DS 322A(OCR)

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STATES TO EXTRADITE OR PROSECUTE HIJACKERS AND SABOTEURS. WE URGE ALL STATES WHICH HAVE NOT RATIFIED THESE CONVENTIONS TO DO SO.

WE ARE NOW FACED WITH AN URGENT NEED TO DETER AND PUNISH INTERNATIONAL CRIMES OF VIOLENCE NOT ONLY IN THE AIR BUT THROUGHOUT OUR SOCIETIES. THE UNITED STATES URGES THAT THIS ASSEMBLY ACT -- AND ACT AT ONCE -- TO MEET THIS CHALLENGE.

FIRST, THE DRAFT TREATY TO PROSECUTE OR EXTRADITE THOSE WHO ATTACK OR KIDNAP DIPLOMATS OR OFFICIALS OF FOREIGN GOVERNMENTS OR INTERNATIONAL ORGANIZATIONS SHOULD BE COMPLETED AND OPENED FOR SIGNATURE AT THIS SESSION OF THE ASSEMBLY. THE DRAFT ARTICLES ARE ALREADY BEFORE THIS ASSEMBLY IN DOCUMENT A/8710.

SECOND, A TREATY PROVIDING FOR SUSPENSION OF ALL AIR SERVICE TO COUNTRIES WHICH FAIL TO PUNISH OR EXTRADITE HIJACKERS OR SABOTEURS OF CIVIL AVIATION AIRCRAFT SHOULD BE PROMPTLY COMPLETED AND OPENED FOR SIGNATURE. A NATION WHICH IS A HAVEN FOR HIJACKERS SHOULD BE OUTLAWED BY THE INTERNATIONAL COMMUNITY. A DRAFT OF A TREATY TO DO THIS HAS ALREADY BEEN CONSIDERED BY A SUBCOMMITTEE OF THE CIVIL AVIATION ORGANIZATION. TO ACHIEVE EARLY ACTION THE PROCESS OF DELIBERATION SHOULD BE ACCELERATED AND A DIPLOMATIC CONFERENCE TO COMPLETE THE TREATY SHOULD BE CALLED WITHOUT DELAY.

THIRD, A NEW TREATY ON THE EXPORT OF INTERNATIONAL TERRORISM SHOULD BE CONCLUDED AND OPENED FOR SIGNATURE AS SOON AS POSSIBLE. IT SHOULD INCLUDE UNIVERSAL CONDEMNATION OF AND REQUIRE THE PROSECUTION OR EXTRADITION OF PERSONS WHO KILL, SERIOUSLY INJURE, OR KIDNAP INNOCENT CIVILIANS IN A FOREIGN STATE FOR THE PURPOSE OF HARMING OR FORCING CONCESSIONS FROM A STATE OR FROM AN INTERNATIONAL ORGANIZATION. TO COMPLETE SUCH A TREATY A DIPLOMATIC CONFERENCE SHOULD BE CONVENED AS SOON AS POSSIBLE. THE UNITED STATES GOVERNMENT IS TODAY CIRCULATING A FIRST DRAFT OF A TREATY. WE URGE ALL GOVERNMENTS TO GIVE IT THEIR EARNEST ATTENTION.

WE HAVE ALSO EMBODIED THESE VARIOUS PROPOSALS IN A DRAFT RESOLUTION, WHICH WE SUBMITTED TO THE SECRETARIAT FOR DISTRIBUTION THIS MORNING." 44

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